NATIONAL ARCHIVES

OFFICE *of the* CHIEF RECORDS OFFICER

Senior Agency Official for Records Management FY 2015 Annual Report

The *Managing Government Records Directive (M-12-18)* requires Senior Agency Officials (SAOs) for Records Management to provide an annual report to NARA. This report demonstrates how your organization is achieving the goals of the *Directive* and other important initiatives as identified by NARA.

NARA uses the reports to determine the overall progress of the Federal Government in meeting the goals of the *Directive*, including implementing proper email management and transitioning to electronic recordkeeping. Additionally, NARA uses the report for information sharing purposes to provide best practices and model solutions with Federal agencies.

The reporting period begins on November 16, 2015, and reports are due back to NARA no later than COB January 29, 2016.

Please note that NARA will post a version of your 2015 SAO report on the NARA website. This action is in the interest of transparency in Government and to promote collaboration and communication among agencies. Please let us know whether there is a specific justification as to why your report cannot be publicly shared (in whole or in part).

Instructions for Reporting

- This template covers progress through fiscal year (FY) 2015.
- Please be brief and precise in your answers. Limit answers to each question to no more than 500 words.
- Please complete the eight questions/items on the following pages and send the report to prmd@nara.gov. Include the words "SAO annual report" and your agency's name in the subject line of the email.
- If you are responsible for records management in multiple agencies, components, or bureaus, please determine how you will submit reports to NARA. While NARA prefers a comprehensive report, you may submit separate reports for each component.

Provide the following information (required):

Name of SAO: Barry Walters

Position title: Director, Office of Support Operations

Address: 100 F St., NE Room SP2-2705
Washington, DC 20549

Office telephone number: 202-551-6395

1. What are the agencies, components, or bureaus covered by this report and your position as SAO?

The U.S. Securities and Exchange Commission

2. Is your agency going to meet the *Directive* goal to manage all email records in an accessible electronic format by December 31, 2016? *(Directive Goal 1.2)*

☒ Yes ☐ No

2a) *Provide a list of actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved email policies,*
- *use of any automated systems for capturing email,*
- *providing access / retrievability of your email,*
- *establishing disposition practices for agency email (either destroy in agency or transfer to NARA), and*
- *possible implementation of the Capstone approach for applicable agency email.*

The Office of Records Management Services (ORMS) is working collaboratively with the SEC Office of Information Technology (OIT) and the Office of General Counsel (OGC) to implement a system to manage SEC email records under the Capstone approach, in compliance with the Managing Governing Records Directive (M-12-18). In 2015, we refined and finalized policies and requirements documents governing the process and technological tools which will be deployed to accomplish this goal.

2b) *Provide a list of the actions your agency, components, or bureaus plan to take in 2016 to meet this goal.*

In 2015, the SEC procured vendor services to systematically manage SEC records to comply with the Managing Governing Records Directive (M-12-18). By the end of fiscal year 2016, the SEC will deploy and implement a system designed and configured to meet this goal. We are also developing training materials to educate SEC staff on the principles and processes for managing email records in accordance with the Capstone approach.

3. Has your agency taken actions to implement the 2014 amendments to the *Federal Records Act* requiring Federal employees to copy or forward electronic messages (including email, texts, chats, and instant messaging) that are federal records from their non-official accounts to official accounts within 20 days?

☒ Yes ☐ No

Please provide a brief description of the actions taken, such as establishing policies and providing training.

The SEC refined existing policies to ensure staff are aware of their responsibilities regarding the use of personal e-mail accounts and other non-federal electronic messaging systems in accordance with the 2014 amendments to the *Federal Records Act*.

4. Describe your agency's internal controls for managing electronic messages (including email, texts, chats, and instant messaging) of the agency head and other executives (including appropriate advisers, and other senior management staff).

The existing instant messaging policy is in the process of being refined and new policies are being developed in order to address the management of records created and received in the various electronic message formats.

5. Is your agency going to meet the *Directive* goal to submit records schedules to NARA for all existing paper and other non-electronic records by December 31, 2016? *(Directive Goal 2.5)*

☒ Yes ☐ No

5a) *Provide a list of the actions your agency, components, or bureaus <u>have taken</u> to meet this goal.*

ORMS is working with Divisions and Offices to conduct records inventories in order to determine whether there are any unscheduled records series and/or information systems containing records. If any are discovered, we will work with the appropriate Divisions/Offices to draft and submit the records schedule to NARA.

In 2015, the SEC submitted nine (9) records schedules to NARA and have had ten (10) approved by NARA. ORMS has also drafted approximately ten (10) schedules, which are expected to be

submitted to NARA after the completion of the internal SEC-approval process. In addition, ORMS worked in conjunction with the Office of Acquisitions (OA) to develop standard records management requirements language, which will now be included in all contracts involving the procurement of electronic information systems capturing and maintaining SEC records.

5b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

ORMS will continue to ensure Division/Office file plans and existing records schedules are current and accurate, and recommend corrective action plans for identified deficiencies within a Division/Office records management program. ORMS will continue to work directly with all SEC Divisions and Offices to ensure records schedules are submitted to NARA on an as-needed basis.

6. Is your agency going to meet the *Directive* goal to manage all permanent electronic records in an electronic format by December 31, 2019? *(Directive Goal 1.1)*

☒ Yes ☐ No

6a) *Provide a list of the actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved electronic records policies,*
- *use of any automated systems for capturing electronic records,*
- *providing access / irretrievability of your electronic records, and*
- *establishing disposition practices for agency electronic records.*

As SEC business processes continue to evolve, ORMS has worked with Divisions and Offices to ensure that going forward all permanent SEC records currently created in hard-copy and analog formats are captured and maintained electronically in a manner acceptable for accessioning to NARA. To achieve this, ORMS is working closely with SEC Division and Office staffs to identify, inventory, and properly schedule all SEC records in all formats, including records maintained in electronic information systems (EISs).

6b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

For new records schedule submissions which are proposed as permanent, ORMS is requiring the media type for the series be designated electronic, unless a legitimate business need for maintaining the records in a format other than electronic is required.

Also, ORMS continues to work with system development teams to ensure the full lifecycle management of record data, including end-of-cycle disposition actions, is built into system and process designs. In addition to this effort, ORMS has provided OIT Project Managers the baseline records management requirements that can be used for all electronic information system initiatives, if the system will contain records.

7. Please provide any insight to your agency's efforts to implement the *Managing Government Records Directive* and the transition to a digital government.

> *Provide a brief description, including any positive or negative outcomes, challenges, and other obstacles.*

ORMS maintains a collaborative partnership with the SEC OIT and the OGC on many aspects, including the implementation of a system to manage SEC email records under the Capstone approach, in compliance with the Managing Governing Records Directive (M-12-18). In 2015, we refined and finalized policies and requirements documents governing the process and technological tools deployed to accomplish this goal.

ORMS is currently working with SEC Divisions and Offices to conduct records inventories in order to determine whether there are any unscheduled records series and/or information systems containing records. If any are discovered, we will work with the appropriate Divisions/Offices to draft and submit the records schedule to NARA.

Finally, ORMS is exploring ways to transform traditional business practices within the agency. We continue to work with Divisions and Offices to ensure permanent records are captured and maintained electronically where possible.

8. With regard to records management, is your agency preparing for the upcoming change in Presidential administration?

☒ Yes ☐ No

8a) *Provide a list of the actions your agency, components, or bureaus <u>have taken</u> to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration.*

ORMS has worked directly with the appropriate SEC Divisions/Offices to ensure policies and processes have been established and implemented to safeguard against the unlawful removal and/or destruction of records and non-public information by all departing SEC personnel, regardless of the type or duration of their appointment. Additionally, all new SEC staff receives mandatory training instructing them of their responsibilities pertaining to federal records laws and regulations. Also, Senior Agency officials receive a briefing book that includes information about the SEC's records management program.

8b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration, including ensuring that federal records are not improperly removed from the agency.*

The SEC is waiting on revised guidance from NARA regarding the upcoming change in the Presidential administration.